

## Message Text

CONFIDENTIAL

PAGE 01 GENEVA 06369 271302Z

ACTION DLOS-09

INFO OCT-01 NEA-10 IO-13 ISO-00 ACDA-12 AGRE-00 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00

DOE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01 TRSE-00

H-01 INR-10 INT-05 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02 SS-15

ICA-11 /146 W

-----069201 281356Z /53

R 271257Z APR 78

FM USMISSION GENEVA

TO SECSTATE WASHDC 8922

INFO USMISSION USUN NEW YORK

AMEMBASSY KUWAIT

AMEMBASSY MUSCAT

AMEMBASSY TEHRAN

C O N F I D E N T I A L GENEVA 06369

E.O. 11652: GDS

TAGS: PLOS, IR

SUBJECT: LOS: IRANIAN COMMENTARY

REF: TEHRAN 3768

1. USE OF TERM "FREE PASSAGE" IN REFTEL IS CONFUSING. IN TERRITORIAL SEA GENERALLY, THERE IS A RIGHT OF "INNOCENT PASSAGE," DEFINED AS PASSAGE WHICH IS NOT "PREJUDICIAL TO THE PEACE, GOOD ORDER, OR SECURITY" OF THE COASTAL STATE, AND NOT RPT NOT INCLUDING A RIGHT OF OVER-FLIGHT OR SUBMERGED PASSAGE.

2. THE US OPPOSED RPT OPPOSED APPLYING THESE RESTRICTIONS WHERE THE TERRITORIAL SEA OVERLAPS STRAITS AND INSTEAD PROPOSED FREE PASSAGE OF SHIPS AND AIRCRAFT IN TRANSIT AS IF THEY WERE ON THE HIGH SEAS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 06369 271302Z

3. THE TEXTS BEFORE THE LOS CONFERENCE CONTAIN A RIGHT OF "TRANSIT PASSAGE" FOR STRAITS WHICH ACCOMMODATE BASIC US INTERESTS IN FREE PASSAGE, BUT CONTAIN MORE ELABORATE GUARANTEES OF THE INTERESTS OF THE STRAIT STATES THAN HAD BEEN CONTAINED IN THE ORIGINAL US PROPOSAL. THOSE ARTICLES ARE WIDELY REGARDED AS A REASONABLE COMPROMISE WHICH SHOULD NOT BE DISTURBED OR REOPENED. THAT IS THE POSITION OF THE

UNITED STATES.

4. OMANI OPPOSITION TO TRANSIT PASSAGE ARTICLES CONTINUES.  
RICHARDSON

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, FOREIGN POLICY POSITION, MEETING PROCEEDINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 apr 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978GENEVA06369  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780182-0233  
**Format:** TEL  
**From:** GENEVA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780411/aaaaaiqy.tel  
**Line Count:** 66  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** e040bda6-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION DLOS  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 TEHRAN 3768  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 07 jul 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2832385  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LOS: IRANIAN COMMENTARY  
**TAGS:** PLOS, IR  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/e040bda6-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014